



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/500,639

02/09/2000

Chun-Ming Lu

6978.0097

2896

23838 7590 04/07/2008

KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON, DC 20005

EXAMINER

STORK, KYLE R

ART UNIT

PAPER NUMBER

2178

MAIL DATE

DELIVERY MODE

04/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CHUN-MING LU and VINCENT M. LEE

Appeal 2007-1282
Application 09/500,639
Technology Center 2100

Decided: April 7, 2008

Before LANCE LEONARD BARRY, ALLEN R. MACDONALD, and
STEPHEN C. SIU, *Administrative Patent Judges*.

SIU, *Administrative Patent Judge*.

DECISION ON APPEAL

I. STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1, 4-12, and 15-24. We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

A. INVENTION

1 The invention at issue involves forwarding a web address to a pre-existing uniform resource locator (URL) (Spec. 1). In particular, a captured domain name and a captured uniform resource identifier (URI) are identified for a web address. The captured domain name is used to search a data file for a corresponding domain name that is used to create a forwarding URL (*id.* 15). The forwarding URL and the captured URI are used to redirect a user to a proper web location (*id.* 16).

B. ILLUSTRATIVE CLAIM

Claim 1, which further illustrates the invention, follows:

1. A method for forwarding a web address to another web address in a network comprising the steps, performed by a processor, of:

receiving a request destined to a first web address including a domain name and a uniform resource identifier (URI);

determining a forwarding uniform resource locator (URL) that corresponds to the domain name, the uniform resource identifier not being used in determining the forwarding uniform resource locator;

combining the forwarding uniform resource locator (URL) and the uniform resource identifier (URI) to form a second web address without changing the uniform resource identifier; and

redirecting the request to the second web address.

C. REJECTIONS

Claims 1, 9, 10, 12, 20, 21, and 22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,751,956 (“Kirsch”). Claims 4 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kirsch and U.S. Patent No. 5,995,099 (“Horstmann”). Claims 5 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kirsch, Horstmann, and U.S. Patent No. 6,052,736 (“Ogle”). Claims 6-8, 17-19, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kirsch, U.S. Patent No. 5,909,686 (“Muller”), and U.S. Patent No. 6,321,242 (“Fogg”). Claims 11 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kirsch and Fogg.

II. CLAIMS 1, 9, 10, 12, 20, 21, AND 23

Independent claims 1 and 12 recite “determining a forwarding uniform resource locator (URL) that corresponds to the domain name, the uniform resource identifier not being used in determining the forwarding uniform resource locator.” Independent claim 23 is similar to claim 1 and claim 12 and recites “determine a forwarding uniform resource locator (URL) that corresponds to the domain name, the uniform resource identifier not being used in determining the forwarding uniform resource locator.”

The Examiner cites a prior art “system of URL redirection for servers and clients supporting the 1.5 or later versions of the HTTP protocol” (col. 4, ll. 11-13) and finds that Kirsch discloses “[d]etermining a forwarding

uniform resource location (URL) that corresponds to the domain name (Kirsch on col. 4, lines 15-20: the user's input determines a new URL via the redirect command)" and "the uniform resource identifier not being used in determining the forwarding uniform resource locator" (Ans. 5).

Appellants argue that in Kirsch "... the forwarding URL does not correspond to the domain name, but instead corresponds to the URI /dir1" (App. Br. 6).

In response, the Examiner cites an alternate embodiment of Kirsch and finds that "Kirsch discloses repeating any path portion of a direct server specification be repeated as the path portion of the redirected server (column 9, lines 29-32)" (Ans. 12-13).

Here, the Examiner cites a first embodiment (i.e., a system of redirection supporting the 1.5 or later versions of the HTTP protocol) as disclosing determining a forwarding URL corresponding to a domain name but combines this disclosure with a second embodiment (i.e., one embodiment of the Kirsch invention repeating any path portion of a direct server specification) for providing determining a forwarding URL without using a URI. The Examiner finds that Kirsch anticipates claim 1 but does not demonstrate that Kirsch discloses an embodiment in which each and every element of the claim 1 is found. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987); "The

identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989).

Because the Examiner does not establish that Kirsch discloses an embodiment in which each and every element of claims 1, 12, or 23 is set forth, we reverse the rejection of claims 1, 12, and 23, and of claims 9, 10, 20, and 21, which depend therefrom.

III. CLAIMS 4 AND 15

Appellants argue that “the secondary Horstmann, Ogle, Muller and Fogg reference do not remedy . . . deficiencies of” Kirsch (App. Br. 7).

The Examiner cites Horstmann as disclosing limitations recited in claims 4 and 15 but does not establish that Horstmann cures the deficits of Kirsch with regard to claim 1 or claim 12.

We therefore reverse the rejection of claims 4 and 15.

IV. CLAIMS 5 AND 16

Appellants argue that “the secondary Horstmann, Ogle, Muller and Fogg reference do not remedy . . . deficiencies of” Kirsch (App. Br. 7).

The Examiner cites Horstmann and Ogle as disclosing limitations recited in claims 5 and 16 but does not establish that Horstmann and/or Ogle cures the deficits of Kirsch with regard to claim 1 or claim 12.

We therefore reverse the rejection of claim 5 and claim 16.

V. CLAIMS 11 AND 22

Appellants argue that “the secondary Horstmann, Ogle, Muller and Fogg reference do not remedy . . . deficiencies of” Kirsch (App. Br. 7).

The Examiner cites Fogg as disclosing limitations recited in claims 11 and 22 but does not establish that Fogg cures the deficits of Kirsch with regard to claim 1 or claim 12.

We therefore reverse the rejection of claim 11 and claim 22.

VI. CLAIMS 6-8 AND 17-19

Appellants argue that “the secondary Horstmann, Ogle, Muller and Fogg reference do not remedy . . . deficiencies of” Kirsch (App. Br. 7).

The Examiner cites Muller and/or Fogg as disclosing limitations recited in claims 6-8 and 17-19 but does not establish that Muller and/or Fogg cures the deficits of Kirsch.

We therefore reverse the rejection of claims 6-8 and 17-19.

VII. CLAIM 24

Appellants argue that “the secondary Horstmann, Ogle, Muller and Fogg reference do not remedy . . . deficiencies of” Kirsch (App. Br. 7).

Claim 24 is similar to independent claim 1. However, the Examiner does not show, let alone argue, that claim 24 would have been obvious to one of ordinary skill in the art at the time of the invention over Kirsch. The Examiner asserts that “regarding dependent claim 24, it is a system that is

Appeal 2007-1282
Application 09/500,639

capable of executing the method of claim 7, and is rejected under similar rationale” (Ans. 10) and finds that Fogg discloses limitations recited in claim 7. However, the Examiner does not show that Fogg discloses or renders obvious the limitations recited in claim 24.

We therefore reverse the rejection of claim 24.

VIII. ORDER

In summary, the rejection of claims 1, 9, 10, 12, 20, 21, and 22 under § 102(e) and the rejections of claims 4-8, 11, 15-19, 22, and 24 under § 103(a) are reversed.

REVERSED

rwk

KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON, DC 20005